[5th September 1928

Separation of judicial from executive functions

Separation of judicial and executive functions in the province.

*131 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government of India have communicated to them their further instructions in regard to the separation of judicial and executive functions;

(b) whether after December 1926 the Government of Madras have not corresponded with the Government of India on this question; and

(c) if they have, what the correspondence was?

A.—(a) No.

(b) Yes.

(c) The proceedings of the Council, dated the 24th January 1927, on this subject were communicated to the Government of India in February 1927.

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Law Member whether he is prepared to further communicate with the Government of India and ask them what has been done in the matter. I want to know whether he would be satisfied with merely communicating our resolution or he would further communicate with the Government of India and ascertain what is being done?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I am afraid it is not possible, because the Government of India have definitely told us that we must await their instructions."

Mr. ABDUL HAMID KHAN:—"May I know whether the Government of Madras while communicating the resolution of the House recommended the separation or opposed it?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"On the last occasion they simply forwarded the proceedings."

Mr. K. V. R. SWAMI:—"Is it not possible to remind the Central Government about this matter?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"They have definitely told us that we must await their instructions; we cannot go beyond that."

Mr. K. V. R. SWAMI:—"Is it not possible to remind them? Is there any rule that it should not be done like that?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"As a matter of fact, we reminded them several times. The last time was when we communicated the proceedings of this House."

Separation of the executive and judicial functions in this province.

*132 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government intend to bring up any proposal before the Legislative Council for the separation of executive and judicial functions in this province;

(b) if so, when; and

(c) if not, why not?

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A.—(*a*) No.

(*b*) & (*c*) The Government can take no further action until they receive the orders of the Government of India.

Settlement

Reports of Mr. Turing and Mr. Tampoe referred to in the scheme report for the resettlement of the Godavari and Kistna districts.

* 133 Q.—Mr. D. NARAYANA RAJU: Will the hon. the Member for Revenue be pleased to state whether the Government will be pleased to place on the table of the House copies of the reports of Mr. Turing and Mr. Tampoe referred to on page 57 of the Settlement Officer's report?

A.—The reports were not written for publication and the Government do not propose to publish them. A summary of the reports was given in the Press Communiqué dated 15th September 1916, a copy of which is laid on the table [a] as it may not now be easily available.

Mr. D. NARAYANA RAJU:—"May I know whether it is a fact that the Settlement Officer based his remarks on the reports in question and not on the Press Communiqué laid on the table now? If that is so, why do the Government not lay on the table the reports themselves which contain a true description of the defects in the delta."

The hon. Sir NORMAN MARJORIBANKS:—"He has not based his recommendations on the reports. He stated the reports were corroborative evidence in support of his recommendations."

Government Press

Alleged dismissal of certain compositors in the Government Press.

* 134 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(*a*) whether it is a fact that the services of Ratnasabapathi, Ratnam and Rajagopal, compositors, and of Tirumalai, type-caster, in the Government Press, have been summarily dispensed with, and if so, why;

(*b*) whether Swaminathan, Duraiswami and Guruswami, compositors, Natesan, machine-minder, and Perumal, imposer, were suspended either for a week or for a day, and if so, why; and

(*c*) whether these cases have been examined by Government and with what results?

A.—(*a*) The Government have no information regarding Ratnam and Rajagopal. Ratnasabapathi, a temporary employee, has been discharged as his work was unsatisfactory. Tirumalai has been dismissed and his appeal is under the consideration of Government.

(*b*) Government have no information.

(*c*) Ratnasabapathi appealed to Government and his appeal was dismissed. Tirumalai has appealed and his appeal is under the consideration of Government. Government have not examined the remaining cases.

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[a] Separately laid on the table.